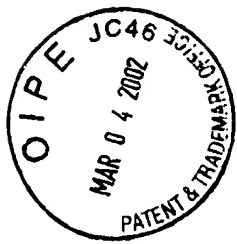


PA 01/21/02

US PATENT APPLICATION
Attorney Docket No. 8668.2029

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B.D.
3-26-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants : Smits et al.

Application No. : 09/479,548

Filed : January 7, 2000

For : Hearing Evaluation Device With Noise Detection and
Evaluation Capability

Group Art Number : 2644

Examiner : Not yet known



03-04-2002
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February 28, 2002
New York, New York

Commissioner for Patents
2900 Crystal Drive
Arlington, VA 22202-3513

PRELIMINARY AMENDMENT

RECEIVED

MAR 21 2002

Technology Center 2600

Dear Sir/Madam:

Preliminary to examination, please amend the above identified application by canceling claims
1-27 and inserting therefor the following, as new claims 28-65:

28. (New) A device for hearing evaluation of a subject comprising:
- means for repeatedly delivering an auditory stimulus;
- means for sampling an electroencephalographic (EEG) response to said stimulus; and
- means for detecting noise associated with said EEG response, for automatically
determining the amount of said noise, and for automatically determining when said
amount is excessive relative to a threshold.

I hereby certify that this communication as enclosed therein
is being deposited with the United States Postal Service on
this date February 28, 2002 in an envelope as "First Class
Mail", addressed to the: Commissioner for Patents, 2900
Crystal Drive, Arlington, VA 22202-3513.

Lorraine Glorig
(Lorraine Glorig)

03/19/2002 HNDHMM1 00000106 150665 09479548

01 FC:203
02 FC:204

144.00 CH
140.00 CH

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01 FC:102 84.00 CH

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